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more fully, and many new subjects are added, together with a full citation of cases from all jurisdictions. The book has thus become one of general rather than local application and service. It is particularly commendable for its analysis and classification of cases from the point of view of the relation of the plaintiff to the defendant.

The latter volume is also in a sense a second edition. It is based upon a portion of a more general work by the same author entitled "The Law of Street Surface Railroads." After quite a full treatment of the general basis of liability, the writer of this book follows a general plan similar to that of Mr. Clark. He goes perhaps even more carefully into the different details of the varying classes of cases. The material is not quite so thoroughly analyzed or paragraphed as that of the other volume, but it is rather more comprehensive and fundamental in its scope. The indexing of Mr. Nellis's book appears to have been very carefully done, and this renders its discussions especially accessible.

Neither of these two volumes can be said to excel the other. Neither is of any noteworthy originality. Both however are excellent and useful practical treatises and digests. Either can be honestly commended to any practitioner interested in this important branch of tort practice.

W. H. H.

AMERICAN RAILROAD LAW. By Simeon E. Baldwin. Boston: Little, Brown, and Company. 1904. pp. lxxvi, 770. 8vo.

Any work of Judge Baldwin will be read with interest by lawyers, and cannot fail to illuminate the subject with which it deals. In writing upon Railroad Law the learned author has chosen a subject of great present interest and importance. A railroad company is a corporation, and therefore subject to the rules that govern corporations and to the requirements of its charter; it is a common carrier, and therefore subject to the peculiar rules that govern public-service companies, and it is endowed with the power of eminent domain. To assemble the rules of law that apply to railroads it would be necessary to deal with three important branches of law, and it is of course impossible to do so in a single volume. Judge Baldwin has limited his work to what is peculiar to railroads, so far as that is possible without obscurity. The disadvantage of such a plan is this, that it rather gives a set of illustrations of the application of fundamental principles to one class of facts than a thorough discussion and determination of the principles themselves. In spite of Judge Baldwin's high capacity for legal analysis and reasoning, this book is a digest of railroad cases, excellently arranged and clearly phrased. Most of the important cases are cited, though one is surprised not to find such leading cases as *Northern Pacific Railroad v. Washington*, on the obligation to establish stations; *Old Colony Railroad v. Tripp*, on the right of hackmen to solicit passengers at the stations; *Boyce v. Anderson*, on the nature of the relation of passenger and carrier; *Norway Plains Co. v. Boston & Maine Railroad*, on the termination of the insurer's liability; *Railroad Company v. Reeves*, on loss by act of God. But the authorities are generally well collected, clearly arranged, and adequately stated, and the book should prove both suggestive and useful. In an appendix are collected a large number of forms which should prove very valuable to a lawyer in practice.

J. H. B.

CYCLOPEDIA OF LAW AND PROCEDURE. Edited by William Mack. Vol. XI. New York: The American Law Book Company. London: Butterworth & Co. 1904. pp. 1197. 4to.

This volume contains topics from "Costs" to "Credit with Banker" inclusive. Of the seven leading articles, the most pretentious are those on "Costs," "Counties," and "Courts," which together occupy five-sixths of the work. Dealing, therefore, for the most part with matters of practice and procedure rather than with substantive law, the volume cannot, from the nature of the case,

possess the interest of some of its predecessors. It is, however, distinguished by the same care and thoroughness in its preparation which characterized them. A considerable part of the work is devoted to the article on "Courts" by Joseph A. Joyce and Howard C. Joyce. This is particularly complete in its discussion of the federal courts, the jurisdiction of which is treated at length, with regard both to the general requisites of federal jurisdiction and to the individual jurisdiction of each court.

CYCLOPEDIA OF LAW AND PROCEDURE. Edited by William Mack. Vol. XII. New York: The American Law Book Company. London: Butterworth & Co. 1904. pp. 1194. 4to.

This volume includes topics from "Creditors' Suits" to "Damage Feasant." Three quarters of it is occupied by the article on "Criminal Law" by H. C. Underhill, assisted by William Lawrence Clark, both of whom are text-writers of ability and experience. This article, while touching upon particular crimes only incidentally and chiefly by way of illustration, nevertheless follows the recognized policy of the work in containing a full treatment of the various branches of the general subject. Thus, not only do the authors consider the nature and elements of the criminal act, but they also include a treatment of attempt, criminal jurisdiction, venue, and former jeopardy, together with a comprehensive discussion of criminal procedure and practice, which takes in the competency and weight of evidence. The article seems to be a thorough and careful exposition of the present state of the law, but the personal views of the authors appear rarely. As the work pretends to be little more than an accurate reflection of the authorities, criticism of this nature seems practically disarmed, but we should have been glad of an occasional expression of the personal opinions of authors so well known.

Other subjects most fully treated are "Customs Duties," "Customs and Usages," and "Creditors' Suits." The citation of authority is exhaustive, and, so far as we have had occasion to examine, accurate, and the volume as a whole is a work both able and painstaking. Whether it represents a substantial advance on other publications of a similar nature can be determined only after a more lengthy use.

THE BANKRUPTCY ACT OF 1898 annotated and explained with the amendments thereto, all the important and latest Federal and State Decisions thereon, and the general orders and forms established by the U. S. Supreme Court. By John M. Gould and Arthur W. Blakemore. Boston: Little, Brown, and Company. 1904. pp. xvii, 266. 8vo.

This book does not profess to be, nor is it, a treatise on the law of bankruptcy; nor does it attempt to deal with the particular problems raised by the present act. It must be characterized, as indeed the authors themselves in their preface have spoken of it, as a manual of the act and the points decided by the courts since its adoption. The sections of the act are presented in consecutive order, each section being followed immediately by annotations. This plan admits of ready reference for the purpose of determining what points of a particular section have been passed upon. The annotations, while concise, are nevertheless clear and accurate. Important differences between the present and previous bankruptcy statutes are pointed out. The act and its annotations are very appropriately supplemented by a presentation of the general orders and forms in bankruptcy as adopted and established by the Supreme Court of the United States. The work will undoubtedly prove of service to the bankruptcy practitioner.

C. H. O.